

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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In the Matter of the Arbitration Proceedings between

JOHN HANCOCK LIFE INSURANCE COMPANY,  
Petitioner,

Civil Action No.  
04 10181MLW

and

SPHERE DRAKE INSURANCE LIMITED,  
Respondent.

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**ATTORNEY CERTIFICATION PURSUANT TO FED. R. CIV. P. 65(B)(2)**

The Petitioner, John Hancock Life Insurance Company (“John Hancock”) has filed a Motion for a Temporary Restraining Order against Sphere Drake Insurance Limited (“Sphere Drake”) without notice to opposing counsel. As reasons therefore, counsel certifies as follows:

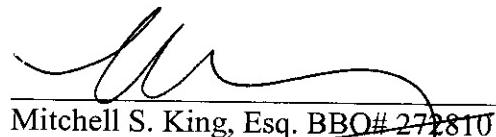
1. The parties have competing arbitration demands with respect to certain reinsurance contracts. John Hancock has demanded arbitration in the U.S. pursuant to Massachusetts choice of law and other contractual provisions which it maintains governs the arbitrations between the parties.
2. As set forth in John Hancock’s Verified Amended Petition to Compel Arbitrations under Section 4 of the Federal Arbitration Act, the Amended Affidavit of Mitchell S. King and other supporting papers filed herewith, John Hancock believes that Respondent, Sphere Drake Insurance Limited (“Sphere Drake”) may be filing a competing action in the United Kingdom, including a possible anti-suit injunction, seeking to subvert John Hancock’s right to have its arbitration rights adjudicated in this Court.
3. Even if Sphere Drake does not seek a U.K. anti-suit injunction, the parties are engaged in a race to obtain a determination of their arbitration rights under the disputed

contracts, with Sphere Drake asserting that those rights should be determined by a U.K. court. Such action would subvert John Hancock's contractual rights to have the issues determined by this Court.

4. Sphere Drake counsel advised on February 3, 2004, that Sphere Drake was filing a Motion to Dismiss the John Hancock Petition, further elevating John Hancock's concerns regarding Sphere Drake's initiation of U.K. proceedings in lieu of proceedings before this Court. On that same date, John Hancock counsel did advise Sphere Drake counsel that John Hancock would be filing a Motion for Expedited Hearing in connection with John Hancock's Petition under Section 4 of the FAA.

5. An ex parte Temporary Restraining Order is essential to maintaining the status quo between the parties while the parties' arbitration rights are litigated before this Court.

Respectfully Submitted,



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Dated: February 4, 2004